COBBETT'S WEEKLY POLITICAL REGISTER.

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"SIR WATKIN WILLIAMS WYNNE said: I conceive it my duty to state to the House an opinion, which "the conduct of the petitioner (Mr. Paull) seems to justify. I have observed him, on different occasions, "since the evidence was ordered to withdraw, going out of the House, and, from expressions, which I "heard fall from him, I feel convinced, he has been communicating with the witnesses."——COURIER newspaper, 3d March, 1807.

"MR. WHITBREAD said he had never had his eye off that part of the House since the commencement of this "investigation; and assured the House that Mr. Paull had never gone out."——COURIER newspaper, 3d March, 1807.

TO THE

FREE AND INDEPENDENT ELECTORS

OF THE

CITY AND LIBERTIES OF WESTMINSTER.

LETTER VIII.

GENTLEMEN,

In my last letter (at page 321 and the following), I had the honour to submit to you some remarks upon the measure, which had, on the 20th of February, been, by the House of Commons, adopted with respect to the time when the petition against the return of Mr. Sheridan was to be taken into consideration by the House. By way of postscript to that letter, I inserted the petition of Mr. Paull, dated on the 25th of February, and presented by Lord Folkestone, charging Mr. Sheridan and his agents with tampering with the witnesses intended to be brought forward against him. Upon the proceedings, in the House of Commons, consequent thereupon, I shall now have to bespeak your indulgence, while I offer you a few observations.

But, before I proceed to this the chief purpose of my present letter, give me leave to recall your attention, for a moment, to the ground upon which Mr. Sheridan's motion for postponement was made and supported. That ground was, that his counsellors, the counsellors whom he had engaged to defend him, were *absent upon the circuit*. That nothing could be more futile than this pretence, and that it was a mere trick to shift off the day of trial, and of Mr. Sheridan's possible ejection from his seat, was, I think, fully proved to you. But, Gentlemen, a case, admirably calculated to remove all doubts as to the true character of that measure, has, in that same House of Commons, within these few days, been decided. On the 6th instant, a motion was made, that the order for taking into consideration the petition against the return of Mr. Baring, for Taunton, should be discharged, and that a new order should be made for taking it into consideration on a day more distant than the one before named; which motion was made upon the ground, expressly stated, that the petitioner's agents were compelled *to be absent upon the Western Circuit*.—— Mr. Baring complained, that he had not had sufficient notice of this motion. But, Lord Henry Petty said, that, "independent of a want of sufficient no-"tice, the intervention of the circuit *was* "*never allowed by the House as a proper* "*ground for delaying the examination of* "*controverted elections*;" and, accordingly, the motion was rejected! Thus, you see, Gentlemen, that the very ground, which was quite sufficient for the putting off the trial of Mr. Sheridan's election, he being already seated and being upon the side of the ministry, was no ground at all for putting off the trial of a petition, presented by a person, who was opposed to a ministerial member. Mr. Whitbread would tell you, perhaps, that he did not speak upon this last occasion, nor did his worthy associate, Peter Moore, or his worthy relation, Lord Howick, who supported the motion of Mr. Sheridan. But, if they did not, their brother minister did; and they well knew what would be the consequence of his speaking. It was to this House, Gentlemen, that Mr. Paull's petition was presented! This is the House that would not suffer the petition of the parish of St. Martin Le Grand to lie upon their table! This is the House by whom Mr. Paull was reprimanded, and of which Mr. Sheridan and General Fitzpatrick are members!

With respect to the proceedings consequent upon Mr. Paull's last petition, the last of the many efforts which he has hitherto made for the maintenance of your rights, and the rights of the people of England in general, I shall, at present, touch upon only two or three topics, and those not immediately connected with the merits of the case; because, I am resolved not to en-

ter upon those, until I have had full time to examine and to analyse the whole of the evidence, as printed by order of the House, and as furnishing the means of forming a just judgment upon their decision, with which you will, in all probability, have been acquainted before this sheet will reach your hands.——The first topic, to which I beg leave to draw your attention, is, the *reprimanding of Mr. Paull.* And, here, I shall first take the account of that famous transaction, as I find it reported in the Morning Chronicle of the 3d instant; and, you will not fail to recollect, Gentlemen, that all these daily prints, through which the reports, in the first instance, find their way to the public, were opposed to us at the late election, treated us with every species of unfairness, slandered us in the most foul and base manner, leagued themselves with play-actors, prostitutes, and saints, with Cripplegate and Newgate and Hellgate and their sister Billingsgate, to frustrate your views, to deprive you of the real use of your election rights. You will bear in mind, that it is from these detestable prints that the account of the proceedings in question must, as yet, be taken. With this fact in your minds, you will be able to form a correct judgment of the transaction as related in the following report.——"GENERAL "PHIPPS moved, that the standing order "of the House should be enforced by directing the Petitioner to withdraw with "his counsel, he having appeared to him "*to have gone out to communicate with the* "*witness.*——THE SPEAKER observed, that "it was undoubtedly competent to any "hon. member to enforce the standing order, though by the courtesy of the house, "when parties and counsel were ordered to "withdraw, they were usually allowed upon removing from the bar to remain still "in the house.——SIR GILBERT HEATHCOTE hoped that the hon. member would "not press his motion, and that Mr. Paull "would have an equal measure of justice "with his right hon. friend.——The whole "of the evidence respecting the letter was "then ordered to be expunged, and the "counsel were called in, and again instructed by the Speaker to confine their "examination to facts connected with the "charges of tampering with witnesses, or "attempting to suppress evidence.—— "SIR W. W. WYNNE said, "Mr. Speak- "er, I conceive it my duty to state to "the house an opinion, which the con- "duct of the petitioner seems to justify. "*I have observed him,* on different occa- "sions, since the evidence was ordered "to withdraw, *going out of the house,* "*and from expressions which I heard fall* "*from him, I feel convinced he has been* "*communicating with the witness.*""—— "MR. PAULL, who, as a petitioner, was "entitled to a seat under the gallery, immediately came forward and addressed "the chair—"Mr. Speaker, I feel myself "called upon by the principles of honour "and the impulse of a manly spirit, to "deny the gross charge that has been "made against me, by the hon. baronet; "I must say, *it is both unfounded and* "*unjust.* The situation in which I am "at present placed, forbids me from "making any further comment; but I "could not continue silent, when such "an accusation was made against me, in "addition to the numerous calumnies and "misrepresentations, in which the right "hon. gent., my opponent, has this "night so frequently indulged himself." ——"THE SPEAKER observed that the "house would judge for itself what it was "proper for it to do after the proceeding "that had just taken place, and which appeared to him so extraordinary that he "should abstain from denominating it. He "wished also to collect the sense of the "house as to its practice, in the case of petitioners who prayed to be heard by themselves or their counsel, whether having "made their election to be heard by their "counsel, they did not relinquish their right to "be heard by themselves.—LORD HOWICK "had been so surprised at the extraordinary "conduct of the petitioner, that he had "only been *prevented by his feelings* from "calling the attention of the House to the "gross, *insolent,* and *outrageous* proceeding. He thought the House was called "upon to adopt some measure, in vindication of its own *dignity*; and recommended "that the petitioner should be brought to "the bar, and acquainted by the Speaker "with the sense entertained by the House "of the impropriety of his conduct.—— "LORD A. HAMILTON urged in mitigation, "not in justification of the petitioner, "the feelings that must have been excited "by the statement made by the hon General under the gallery.——GENERAL "PHIPPS and SIR A. WELLESLEY stated, "that they had *thought* MR. PAULL had "withdrawn out of the house; though it "*might have happened,* that, from their situation, *they could not see him,* whilst he "still remained below the bar.——MR. "WHITBREAD had *never had his eye off* "*that part of the house* since the commencement of this investigation, and *assured the house that Mr. Paull had never* "*gone out.*——LORD HOWICK thought

" that the course proposed was the *most* " *mitigated* proceeding that could be adopt- " ed.——Mr. Fuller said a few words in " mitigation, and Mr. Baker considered " the conduct of the petitioner so improper, " *indecent*, and *outrageous*, that he submit- " ted to the house whether it would not be " better that the house should *not have any* " *direct communication with him*, but that " whatever was to be done on the occasion, " should be done *through the Sergeant at* " *Arms*.—The motion of Lord Howick was " then agreed to, and the petitioner and " his counsel having been then called in, the " Speaker addressed him in the following " terms:——" Mr Paull, I am directed by " " the house to acquaint you, that in its " " judgment you have been guilty of great " " impropriety of conduct, and commit- " " *a gross outrage upon the privileges of* " " *the house*. I am also directed to ac- " " quaint you, that you having made your " " election to be heard by your counsel, " " are no longer entitled according to the " " practice of this house, to be heard by " " yourself. I am also directed to inform " " the counsel, that they confine their ex- " " amination to matters of fact respecting " " the tampering with witnesses, and sup- " " pressing of evidence."——Gentlemen, let us " read, mark, learn, and inwardly di- " gest" this; let us bear it constantly in mind. One of the objects of my inserting it in this place is, that we may, at all times, have it at hand. The hireling crew (in the gallery, I mean) may sneer at us for all this; but let us be patient, and indulge the hope, that they will not *always* be in a situation to sneer at us.—The *right*, as it is still called, of *petitioning*, has been highly estimated by those (most of them placed or pensioned) who have written upon our " invaluable constitution;" though, at first sight, and to vulgar observers, there does not appear to be any thing very valuable, any thing very worthy of boasting of, in the being permitted to *pray*. Prayer is recommended to the penitent sinner, the guilty culprit; and, the wretch who has neither clothes to cover him nor straw whereon to lay his head nor bread wherewith to sustain his miserable existence, is permitted to pray; nay, he prays without permission, and he suits his words to the occasion. Observe, that I do not say, that to approach the House of Commons in the form of *a prayer* is not proper; though, I must think, that the persons praying, when they consider that it is " their *representatives*" that they are addressing, might be excused, if, in complaining of grievances sadly oppressive, they were not to express themselves in language excessively humble, cringing, and degrading. But, Gentlemen, let the language be what it may, we can none of us, though permitted to *write* a prayer, utter that prayer to the objects of our supplication from our own mouths. It must be so uttered by some one of the members, upon whom we may (*by some means or other*) prevail to become our propitiator, that is to say, before we can bring our prayer before the House, we must obtain the special consent and approbation of one of its own members. Having succeeded so far, our petition is allowed to be read by a clerk, who sits at a table in the middle of the House; and, a very great comfort it is to one to know, that one's prayer has passed through the lips of a man who wears a black gown and a three-tailed wig, and who, as it were for the purpose of preserving *clean hands*, always writes in gloves. But, though read, it is not yet certain, that our petition will be attended to. Attended to, did I say? It must first undergo the ceremony of a motion and of a vote, it must have a majority in its favour before it can be permitted to *lie upon the table*; and, when it has arrived at that honour, another motion and another vote of the majority is required before any thing can be done in consequence of this our humble prayer; for " humble" it must be, that being a quality absolutely indispensable. It may so happen, that in the end the petitioner may be called to the bar of the House; and being there, how he is liable to be treated you have seen in the case of Mr. Paull, who ought now to be dearer to us tenfold than he was before. His conduct, the whole of his public conduct, has been such as it is our duty, and our interest, to shew our approbation of. There is a deadly struggle between us and our implacable enemies: one or the other must and will fall; and he has, upon our side, offered himself as the first sacrifice.

The next topic which I wish now to touch upon is, the evidence of Mr. Hart, evidence which was *effaced*, upon the motion of *Lord Howick*; and had it not been effaced, I should not now have commented upon it. This Mr. Hart was the person, who, as a reputed *common informer*, I spoke of in my last Register, at page 370, and who, as appears from the report of the debate of the 5th instant, was called, as a witness *upon the side of Mr. Sheridan*. You will please to observe, Gentlemen, that, all along, during the examination of Mr. Paull's witnesses, continual objections were made by the House to the entering into any matter tending to anticipate the evidence upon the trial of Mr. Sheridan's return, and that to Mr. Paull's counsel, repeated instructions were give to

keep strictly and solely to the subject of tampering, as alleged against Mr. Sheridan and his agents. Yet (and I beseech you to mark and to remember the fact,), Mr. Hart's evidence, which related solely to matters during the election, was taken by the House; and, as to its being afterwards *effaced*, of that we shall speak more by-and-by. Mr. Sheridan's *avowed* object in bringing forward Mr. Hart was to shew, that Mr. Paull had employed vile agents against him; and, for this purpose, he had possessed himself of certain notes, written by Mr. Paull to Mr. Hart, during the election. I have, at page 370, truly given the whole of the history of this connection with Mr. Hart, whom I, however, think a much honester and worthier man than many an one of *several hundreds* that I have known in the world, and that I could now point out to you. But, yet, when Mr. Hart was called to the bar, Mr. Paull must have felt great anxiety, because he was not permitted to explain the nature and duration of the connection between him and the witness. But, Gentlemen, the man whose breast speaks peace need be afraid of nothing; no, not even at the bar of the House of Commons petitioning against a ministerial member. Mr. Hart stated, and he truly stated, that he had never had any knowledge of Mr. Paull until the Westminster election, when he voluntarily offered his services; that he was not of Mr. Paull's Committee; that he was no agent of Mr. Paull's; that he never had, in his life, received, either directly or indirectly, a sixpence of money from that gentleman. Mr. Sheridan, who you will perceive was at once an advocate for himself, a judge, and a juror upon this case, asked Mr. Hart, "were you not frequently in Mr. "Paull's *carriage*, during the election?" The answer was: "No. I was once, "from accident, in Mr. Paull's carriage. It "was on my representing to him, that, at "the distance of two streets, there were "twenty voters, upon whom I wished him "to call without any delay. He leaped ra-"pidly into his carriage, and I followed "him, without being asked." Such was the purport of his evidence; indeed such it appears to have been, almost word for word. Now, mark. Every question, which in the most distant manner, related to the *election*, Mr. Paull and his counsel were strictly forbidden to put. All the questions put to Mr. Hart related to the election *solely*. All the answers were in Mr. Paull's favour; and the whole of Mr. Hart's examination was, upon the motion of Lord Howick, ordered to be *expunged!*——As to the *notes* of Mr. Paull to Mr. Hart, they were merely expressive of approbation of his zeal; approving of the cards that he had got printed and circulated; and saying that Mr. Paull would canvas the places that he had pointed out to him. Now, mark again. These notes, which had been procured by Mr Sheridan from Mr. Hart, were produced to Mr. Paull by Mr. Sheridan with solemn pomp; they were instantly acknowledged by Mr. Paull without his first reading them; but, Mr. Sheridan, when called upon to give them *in evidence*, declined, upon saying, *that it never had been his intention to use them!* First the notes are obtained from Mr. Hart; they are caused to be proved by Mr. Paull, with a view of shewing his *intimacy* with Mr. Hart; Mr. Hart is then called in, but gives no evidence that is not creditable to Mr. Paull; and then, when Mr. Paull naturally wishes to be called to the bar in order that the nature and duration of the alleged intimacy may be explained, Mr. Sheridan, in order to prevent this explanation, puts up the letters, produced before by him and proved by Mr. Paull, and says, "*I do not mean to make use of them!*" To you, Gentlemen, a bare statement of these facts is quite sufficient.—— But, it is further to be noticed, that this connection with Mr. Hart; this having accepted of the voluntary services of Mr. Hart, was intended to cast an odium upon the character and upon the general conduct of Mr. Paull. But, Mr. Sheridan, after being acquainted with the imputed character of Mr. Hart (which Mr. Paull was not), finds him out; possesses himself of Mr. Paull's notes to him: and brings him up as an evidence upon his own side. Mr. Paull, the moment he was informed of the imputed character of Mr. Hart, did, as I stated at page 370, instantly order him to be discountenanced, and absolutely refused ever to speak with him again, though at the evident risk of doing much injury to his election. You, Gentlemen, will want nothing but the facts to guide you in forming a judgment upon the conduct of the two men.——As analogous to the case of Mr. Hart, and as illustrative of Mr. Paull's conduct during the election, suffer me to remind some of you, and to inform others of the case of *Mr. Le Maitre*, who had voluntarily come to the committee room, and was there engaged in endeavouring to trace out for us a better mode of canvassing, when Mr. Paull recollected that he was one of the persons, who had been *accused* of having had a share in what was called "*the pop-gun plot.*" Mr. Paull, without a moment's hesitation, ordered that he should be sent

away from the room, with an order to the door-keeper not again to admit him. Against this I remonstrated. I observed, that this was to sanction the abominable principle which the hired "Anti-Jacobins" were daily preaching up; that, at this rate, there never would, and never could be an end to those mutual animosities, by the means of which Pitt had ruled the nation for seven years with the Habeas Corpus Act suspended; that, though Mr. Le Maitre had been accused, he had been found not guilty, and that, at the very worst, he was only one of those reformers, whom Mr. Grey (who has now changed his name to that of Lord Howick), Mr. Whitbread, Mr. Tierney, Mr. Sheridan, and others, had justified, and some of whom had actually been acquitted in a court of justice, upon the opinion of the judge, expressly declared, that they had acted merely upon the principles inculcated formerly by Pitt and the Duke of Richmond; that Mr. Le Maitre might have been a jacobin, but that Redhead Yorke, who had lain, under such a charge, some years in jail, was now a remarkably loyal man, and received, I believed, some of the public money annually, having lately conducted a paper called "THE PILOT," under the auspices of the Secretary of the Treasury, even during the administration of those famous "king's friends," Mr. Addington and Lords Eldon and Hawkesbury; that Mr. Huskisson, a member of the late ministry, a bosom favourite and a *creditor* of the late "heaven-born" person, who lent £40,000. of the public money to Boyd and Benfield, was a member of the Jacobin Club at Paris, where he preached the destruction of titles and of tithes; that this gentleman, who has now a pension of twelve hundred pounds a year out of the public money, and Mr. Windham were, at one and the same time, members of the Mother Club of the Jacobins at Paris; and that, considering the age of Mr. Le Maitre, and taking into view all the above mentioned circumstances, it would be excessive folly, not unmixed, I was afraid, with some degree of baseness, to turn our backs upon him. Notwithstanding this remonstrance, however, which was, too, if I recollect right, backed by Mr. Powell, Mr. Paull insisted upon the step being taken, and to me, though much against my will, fell the the task of communicating his wish to Mr. Le Maitre, who behaved upon the occasion as a man who deeply felt the imputation cast upon him, but whose public-spirit triumphed over his private feelings.—To those amongst you, Gentlemen, who were intimately acquainted with our proceedings, the statement of this fact was not necessary. You know, that the whole of Mr. Paull's conduct was fair, honourable, and open. And, as to *notes*, I, probably, wrote five hundred during the election; and, I hereby give perfect liberty to every person in possession of letters, notes, or cards of mine, upon the subject of that election, or, though in the remotest degree, connected with it, to make them public, at any time, or in any manner, that they please. I should in vain attempt to recollect whom I wrote to or what I wrote; but, though I cannot trust to my memory, I can safely trust to those principles, upon which we all acted in that glorious struggle against the combined efforts of our profligate though powerful enemies.

In calling your attention to the third topic which I had in view, I feel that something more than a mere rhetorical apology is necessary. What I have to say here, relates principally to my own conduct; but, I beg leave to assure you, that, though I am not without a desire, and a very anxious one too, to stand well in the opinions of the sensible and honest part of my countrymen, and particularly in your opinions, I should not, at the present time, make any remark upon the part of Mr. Homan's evidence, which related to the circumstance of *Mr. Drake's having been at Botley*, did I not think that my silence upon the subject might, possibly, in one way or another, prove, in some degree injurious to our public cause ——Mr. Homan, on the 5th instant, informed the House of Commons, that, at a recent meeting between him and Mr. Drake, at which meeting, observe, Mr. Sheridan also was present, Mr. Drake told him (Mr. Homan), that he had just returned from Hampshire, where *he had been hunting with Mr. Cobbett*, who lived in a *pig-stye*.——As to the place, in which a man lives, the thing, especially as connected with transactions like those of which we are now speaking, is of very little consequence; and, if Mr. Drake were, in a quiet moment, to ask his heart which was most to be envied, William Cobbett in a pig-stye, or Richard Brinsley Sheridan, with "Right Honourable" thereunto prefixed, in Somerset Palace, I do, I must confess, not think so badly of the heart of Mr. Drake as to entertain much fear that the answer would be unfavourable to me; so that, it is hard to say, considering the natural confusion of the mind of the Bishop of Killala's nephew, what distinct rational object he could have had in view, in thus gratuitously treating his honourable and right honourable hearers with a sally, which, in all probability, escaped from Mr. Drake over

a bottle. But, Gentlemen, Mr. Drake's *going a hunting with me* is quite another thing; and, though Mr. Sheridan was, as the newspapers inform me, so candid, so very candid, as to observe to the House, that, notwithstanding the rumours that were afloat respecting Mr. Cobbett, he had reason to be satisfied, that I had not had any hand in the "abominable conspiracy," which had (good man!) been carrying on against him; though this virtuous person had the excessive candour thus to compliment me at the expense of Mr. Paull, Mr. Powell, and at the expense of your and the nation's cause, I cannot so let the matter pass. His compliments, as I had the honour to declare to you, at the Crown and Anchor, I despise. Nor should I (for there is no accounting for tastes) be but very little anxious about the opinions of those, to whom, upon any occasion, he might immediately address himself. But, to you, Gentlemen, you, the free and independent, the unplaced, unpensioned, unbought, unsold, and unperjured electors of Westminster, I owe a full and true account of Mr. Drake's visit to me; and that account I will now give you.——Some time about a month ago (for I cannot, at this moment, lay my hand upon the letter), Mr. Paull wrote to me, stating, that the principal witness against Mr. Sheridan, whose name was Drake, found himself so annoyed by applications on the part of Mr. Sheridan and his agents, that he had expressed a wish to retire to the country, until near the day of trial; that, to this wish, he, Mr. Paull, had consented, with the unanimous advice of his legal advisers; and, he added a request, that I would provide a lodging for him until the time before mentioned. Owing to my being very much engaged, the letter (it being at the latter part of the week) was not sent for to Bishop's Waltham, until two days after its arrival there. When I got it, I wrote for answer, that, though I was sure, that nothing dishonourable would be thought of, either by him or Mr. Powell, and, though the characters of Messrs. Plomer and Warren were a sufficient guarantee for the legality of the step proposed to be taken; yet, that, such was my aversion to every thing secret or covert, that, with all my regard for him, with all my gratitude towards him for his unparalleled exertions in the public cause, and with all my anxiety for his success, I could not consent to have any hand in this affair. This letter was scarcely gone from my House, when Mr. Drake arrived, accompanied with other persons, in a post-chaise. They went to an inn in the village, and Mr. Drake came to me alone, bearing a short note from Mr. Powell, merely introducing the bearer to me. After a few words of introductory conversation, I spoke to him, as nearly as I can now recollect, in the following words: "It seems very strange to me, "Sir, that you, who are a gentleman by "profession, and who bear about you ho-"nourable wounds, should not have found "yourself possessed of firmness sufficient to "drive from your door the importunate ap-"plicants of whom you speak. It has been "my way, through life, to have a hand in "nothing that seeks disguise; therefore, "for the reasons which I have more fully "stated to Mr. Paull, I will have no hand "in this affair; and, though it is extremely "painful to me, though it is the first time "and I trust it will be the last time in my "life, that the like has occurred, or will "occur to me, I will not even offer you re-"freshment, and, I further think it right to "inform you, that if you remain in the "village this night, I shall, in my next Re-"gister, think it necessary to disclaim any "share in the transaction. I would recom-"mend to you to go back immediately to "Alresford, and there wait for the instruc-"tions of Mr. Paull or Mr. Powell; and, "though I will ask you no questions touch-"ing your evidence, I most earnestly exhort "you to speak the truth, let the conse-"quence be what it may." To which he answered, that nothing should tempt him to deviate from the truth; and here we parted; he going towards the inn, and I to my work in the garden, at which I was when he arrived. After he was gone, however, I must confess, that the reflection of having been, for the first time in my life, guilty of what might, I was afraid, be considered as a breach of hospitality, and that, too, towards one, who, whatever his faults might be, had been half shot to pieces in the service of his country, gave me great pain; and now that I am fully acquainted with all the circumstances, now that I see the unfounded clamours that have been raised against this gentleman, I am convinced, that, in being overscrupulous, I acted wrong; a conviction, the feelings arising from which are by no means assuaged by the reflection, that a suspicion may, possibly, have been entertained of my having wished to secure a reputation for purity at the risk of that of my friends; than which, however, I trust you will believe, nothing could be further from my heart.

I remain,
Gentlemen,
Your faithful friend,
And obedient servant,
Botley, March 12, 1807. WM. COBBETT.

SUMMARY OF POLITICS.

The articles, which would have come under this head, must, on account of the foregoing letter, be postponed till my next. I must, however, beg leave to refer my readers to *the petition of the Honourable Cochrane Johnstone*, which, thanks to Mr. Whitbread, has been presented to the House of Commons and ordered to lie upon the table. Every man in the kingdom should read this petition.——I also beg leave to point out to the particular attention of the reader, the letter, signed A. O. upon the important subject of *the poor*, in the writer of which excellent letter, the check-population philosopher, Mr. Malthus, has met with a formidable opponent, who will, I confidently hope, continue on till he has completely put down the hard-hearted doctrine of this misanthropic economist.

POOR LAWS.

Sir,——As the proposed alteration in the system of the Poor Laws, must naturally engage your attention, as well as that of the public; and, as the authority of Mr. Malthus has often been referred to, and has great weight with many people on this subject, it may not be amiss to inquire, how far the reputation which that gentleman has acquired, as a moral and political philosopher, can be safely reposed on as the foundation of any part of a system which is directed to objects of national utility, and requires close, comprehensive, and accurate reasoning. You, Sir, are not ignorant, that a name will do more towards softening down prejudices, and bolstering up a crude and tottering system, than any arguments whatever. It is always easier to quote an authority than to carry on a chain of reasoning. Mr. Malthus's reputation may, I fear, be fatal to the poor of this country. His name hangs suspended over their heads, *in terrorem*, like some baleful meteor. It is the shield behind which the archers may take their stand, and gall them at their leisure. He has set them up as a defenceless mark, on which both friends and foes may exercise their malice or their wantonness, as they think proper. He has fairly hunted them down, he has driven them into his toils, he has thrown his net over them, and they remain as a prey to the first invader, either to be sacrificed without mercy at the shrine of cold, unfeeling avarice, or to linger out a miserable existence under the hands of ingenious and scientific tormentors.——There is a vulgar saying, "Give a dog a bad name, and hang him." The poor seem to me to be pretty much in this situation at present. The poor, Sir, labour under a natural stigma; they are *naturally* despised. Their interests are at best but coldly and remotely felt by the other classes of society. Mr. Malthus's book has done all that was wanting to increase this indifference and apathy. But, it is neither generous nor just, to come in aid of the narrow prejudices and hard-heartedness of mankind, with metaphysical distinctions and the cobwebs of philosophy. The balance inclines too much on that side already, without the addition of false weights. I confess I do feel some degree of disgust and indignation rising within me, when I see a man of Mr. Malthus's character and calling standing forward as the accuser of those "who have none to help them," as the high-priest of "pride and covetousness," forming selfishness into a regular code, with its codicils, institutes and glosses annexed, trying to muffle up the hand of charity in the fetters of the law, to suppress "the compunctious visitings of nature," to make men ashamed of compassion and good nature as folly and weakness, "laying the flattering unction" of religion to the conscience of the riotous and luxurious liver, and "grinding the faces of the poor" with texts of scripture. Formerly the feelings of compassion and the dictates of justice were found to operate as correctives on the habitual meanness and selfishness of our nature: at present this order is reversed; and, it is discovered that justice and humanity are not obstacles in the way of, but that they are the most effectual strengtheners and supporters of our prevailing passions. Mr. Malthus has "admirably reconciled the old quarrel between speculation and practice," by shewing (I suppose in humble imitation of Mandeville) that our duty and our vices both lean the same way, and that the ends of public virtue and benevolence are best answered by the meanness, pride, extravagance, and insensibility of individuals. This is certainly a very convenient doctrine; and, it is not to be wondered at, that it should have become so fashionable as it has.* While the prejudice infused into the public mind by this gentleman's writings subsists in its full force, I am almost convinced that any serious attempt at

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* The late Sir W. Pulteney, whose character for liberality is well known, was firmly persuaded that the author of the Essays on Population was the greatest man that ever lived, and really wished to have bestowed some personal remuneration on Mr. M. as his political confessor, for having absolved him from all doubts and scruples in the exercise of his favourite virtue.

bettering the condition of the poor will be ineffectual. The only object at present is to gain time. The less it is meddled with either with good or bad intentions, the better. Tampering with the disease "will but skin and film the ulcerous part, while foul corruption, mining all within, infects unseen." I have not confidence enough either in the integrity, the abilities or the power of our state-doctors to be willing to trust it entirely in their hands. They risk nothing if they fail. The patient is in too desperate a state to bring any imputation on their skill; and, after all, it is only trying experiments *in corpore vili*. The only thing they need be afraid of is in reality doing *too much* good. This is the only error which would ever be forgiven by those whose resentment they have most reason to dread. This however there will be no danger of. The state of public feeling, the dispositions of individuals, the narrow jealousy of parties, and the interests of the most powerful bodies of the community will, I suspect, suffer little effectually to be done for bettering the condition, exalting the character, enlightening the understandings, or securing the comforts, the independence, the virtue and happiness of the lower classes of the people. But, I am not equally sure that the means employed for this very purpose may not be made a handle for stifling every principle of liberty and honour in the hearts of a free people. It will be no difficult matter, as things are circumstanced, under pretence of propriety and economy, to smuggle in the worst of tyrannies, a principle of unrelenting, incessant, vexatious, overruling influence, extending to each individual, and to all the petty concerns of life.—This is what strikes me on the first view of the subject. I would ask, is Mr. Whitbread sure of the instruments he is to employ in the execution of his scheme? Is he sure that his managing partners in this new political firm of opulent patronage will not play the game into the hands of those whose views of government and civilisation are very different from his own? But, it seems, that whether practicable, or no, Mr. Whitbread must bring in a Poor Bill. The effect of it appears to me to be putting the poor into the wardship of the rich, to be doing away the little remains of independence we have left, and making them once more what they were formerly, the vassals of a wealthy aristocracy. For my own part, who do not pretend to see far into things, and do not expect miracles from human nature, I should wish to trust as little as possible to the liberality and enlightened views of country squires, or to the *tender mercies* of justices of the peace. The example of Scotland is held out to us as a proof of the beneficial effects of popular education, and we are promised all the same advantages from the adoption of the same plan. The education of the poor is the grand specific which is to cure all our disorders, and make the leper whole again; and, like other specifics, it is to operate equally on all constitutions and in all cases. But, I may ask, is the education of the poor the only circumstance in which Scotland differs from England? Are there no other circumstances in the situation of this country that may render such a scheme impracticable, or counteract its good effects, or render it even worse than nugatory? Is knowledge in itself a principle of such universal and indisputable excellence that it can never be misapplied, that it can never be made the instrument and incentive to mischief, or that it can never be mixed and contaminated with "baser matter?" Do not the peculiar principles and discipline of the church of Scotland, does not the traditional and habitual faith in the doctrines of religion, do not the general manners not of the poor only, but of the other classes of society, does not the state of cultivation, do not the employments of the people, the absence of luxury, and temptations, the small number of great towns, and the remains of ancient manners, tend to strengthen, to forward, to give consistency to, and secure the good effects of education? Or, will Mr. Whitbread say that he can supply the place of these with a beadle, a white wand, a spelling book, and a primmer? Supposing it practicable, will the adoption of a general plan of education have the same effect in our great manufacturing towns, in our seaports, in the metropolis, that it has in the heart of Scotland, or in the mountains of Cumberland? Will it not have the contrary effect? It is not reading in the abstract, but the kind of reading they are likely to meet with, and the examples about them leading them to emulate the patterns of sobriety and industry, or of vice and profligacy held out to them in books, that will do either good or harm to the morals of a people. In the country the people read moral or religious, or, at least, innocent books, and therefore, they are benefited by them; in towns, they as often meet with licentious and idle publications, which must do them harm. It is in vain to say you will give them *good* books, they will get *bad ones*. Will those hot-beds of vice, the factories of Manchester, &c. be less fruitful for having the *farina* of knowledge sprinkled over them? Will not corruption quicken faster, and spread wider for

having this new channel opened to it? Will a smattering in books, and the current pamphlets of the day, tend to quench and smother the flame of the passions, or will it add fuel to them? I do not scruple to assert, that religion itself, when it comes in contact with certain situations, may be highly dangerous. It is the soil in which the greatest virtues and the greatest vices take root. Where it has not strength to stop the torrent of dissolute manners, it gives it additional force by checking it; as the bow that has been long bent in the contrary direction, recoils back with ten-fold violence. It is for this reason that the morals of the people in the trading towns in the North of England are, I believe, worse than they are farther south, because they are brought up more religiously. The common people there are almost all of them originally dissenters. Again, it may be asked, will the poor people in the trading towns send their children to school instead of sending them to work at a factory? Or, will their employers, forgetting their own interests, compel them to do it? Or, will they give up their profits and their wealth for the sake of informing the minds, and preserving the morals of the poor? Oh! no. It may be replied, that it is chiefly for the peasantry and country people, who compose the largest part of the community, that this plan of education is intended. But they are the very people who do not stand in need of it, and to whom, if it does no harm, it will do little good. If working hard, and living sparingly are the chief lessons meant to be inculcated in their minds, they are already tolerably perfect in their parts. As for the rest, it is in vain to attempt to make men any thing else but what their situation makes them. We are the creatures, not of knowledge, but of circumstances. For all these reasons I cannot help looking at this general parallel between the benefits derived from education in Scotland, and those expected from it in this country as little better than a *leurre de dupe*. The advantages of education in the abstract are, I fear, like other abstractions, not to be found in nature. I thought that the rage for blind reform, for abstract utility, and general reasoning, had been exploded long since. If ever it was proper, it was proper on general subjects, on the nature of man and his prospects in general. But the spirit of abstraction driven out of the minds of philosophers has passed into the heads of members of parliament: banished from the closets of the studious, it has taken up its favourite abode in the House of Commons. It has only shifted its ground and its objects according to the character of those in whom it is found. It has dwindled down into petty projects, speculative details, and dreams of practical, positive matter of fact, improvement. These new candidates for fame come in awkwardly holding up the train of philosophy; and, like the squires of political romance, invite you to sit down with them to the spoon-fulls of whipt syllabub, the broken scraps of logic, and the same banquet of windy promises which had been so much more handsomely served up, and to satiety, by their masters. I know nothing of Mr. Whitbread personally. His character stands fair with the public, for consistency and good intention. But I cannot recognise in his plodding, mechanical, but ill-directed and unsuccessful endeavours to bring to justice a great public delinquent, in his flowery common-place harangues, or, in the cold, philosophic indifference of the sentiments he has expressed upon the present occasion, either the genius, penetration, or generous enthusiasm, (regulated, not damped by the dictates of reason), which shall be equally proof against the artifices of designing men, against the sanguine delusions of personal vanity, or the difficulties, the delays, the disgust, and probable odium to be encountered in the determined prosecution of such a task. The celebrated Howard fell a martyr to the great cause of humanity in which he embarked. He plunged into the depth of dungeons, into the loathsome cells of disease, ignominy, and despair, he sacrificed health and life itself as a pledge of the sincerity of his motives. But what proof has Mr. Whitbread ever given of his true and undissembled attachment to the same cause? What sacrifices has he made, what fatigues has he suffered, what pain has he felt, what privation has he undergone in the pursuit of his object, that he should be depended on as the friend and guardian of the poor, as the dispenser of good or ill to millions of his fellow beings? The "champion" should be the "child" of poverty. The Author of our religion, when he came to save the world, took our nature upon him, and became as one of us: it is not likely that any one should ever prove the *saviour* of the poor, who has not common feelings with them, and who does not know their weaknesses and wants. To the officious inquiries of all others, What then are we to do for them? The best answer would perhaps be, Let them alone ——I return to the subject from which I set out, and from which I have wandered without intending it; I mean the system of Mr. Malthus, under the auspices of whose discoveries it seems the present plan is undertaken, though it differs in many

of its features from the expedients recommended by that author. I am afraid that the parent discovery may, however, in spite of any efforts to prevent it, overlay the ricketty offspring. Besides, the original design and principle gives a bias to all our subsequent proceedings, and warps our views without our perceiving it. Mr. Malthus's system must, I am sure, ever remain a stumbling block in the way of true political economy, as innate ideas for a long time confused and perplexed all attempts at philosophy. It is an *ignis fatuus*, which can only beguile the thoughtless gazer, and lead him into bogs and quicksands, before he knows where he is. The details of his system are, I believe, as confused, contradictory, and uncertain, as the system itself. I shall, however, confine my remarks to the outlines of his plan, and his general principles of reasoning. In these respects, I have no hesitation in saying, that his work is the most complete specimen of *illogical*, crude and contradictory reasoning, that perhaps was ever offered to the notice of the public. A clear and comprehensive mind is, I conceive, shewn, not in the extensiveness of the plan which an author has chalked out for himself, but in the order and connexion observed in the arrangement of the subject and the consistency of the several parts. This praise is so far from being applicable to the reasoning of our author, that nothing was ever more loose and incoherent. "The latter end of his commonwealth always forgets the beginning." Argument threatens argument, conclusion stands opposed to conclusion. This page is an answer to the following one, and the next to that. There is hardly a sentence in the whole work, in which he seems to have had a distinct idea of his own meaning. The principle itself is neither new, nor does it prove any thing new; least of all, does it prove what he meant it to prove. His whole theory is a continued contradiction; it is a nullity in the science of political philosophy.—I must, however, defer the proof of these assertions to another letter, when, if you should deem what I have already said worthy the notice of your readers, I hope to make them out to their and your satisfaction.——A. O.

POOR LAWS.

Sir,——You appear to be sufficiently sensible, that the condition of the English peasantry, is extremely miserable. That the majority of them are entire strangers, not to the comforts only, but in a great measure to the necessaries of life, is a fact completely palpable to common observation. The incessant labour which they are compelled to sustain, and the numberless privations to which they are subjected, cannot fail of exciting compassion in any mind, not utterly devoid of feeling. It not unfrequently happens, that the father of a family, after enduring "the burden and heat of the day," on his return home in the evening, instead of enjoying that tranquillity and repose which he expects, and which his situation undoubtedly requires, is assailed by the most affecting and heart-rending cries of want, proceeding from his helpless, starving progeny. The quantity of food, which the produce of his labour enables him to purchase, instead of affording a comfortable supply for his family, serves only to whet, while it does not by any means satisfy, the painful cravings of their hungry stomachs. This is assuredly an awful and tremendous picture of human wretchedness; but, it is far from being overcharged. Allow me to inquire, from whence it originates, and whether, if it cannot be wholly removed, it may not be possible to alleviate it. The unhappy sufferer, you are well aware, charges his misfortunes to the account of those, who, being elevated above him in rank and fortune, although others are very probably much inferior to him, in point of intellectual and moral worth, treat him with the most insufferable insolence, cruelty, and contempt. That a very large share of blame, attaches to persons of this description, I feel most willing to allow; but, I do not think that they are chargeable with the *whole* of it. Obviously it is in their power, to allow the poor man an adequate compensation for his labour, to pay him that respect which is due to a fellow creature; and, by retrenching that enormous profusion of expenditure, which is every way adverse to their own enjoyment, to render his situation at once easy and comfortable. But, when may we expect to find the wealthy landlord, endeavouring to augment the happiness of his indigent, though sober and industrious tenant? When shall the rulers of a nation regard its interest, at the probable or even certain expence of their own? Assuredly not, so long as self-love continues to be the principal motive which influences human conduct. All forms of government, how multifarious and discordant soever they may be, have hitherto rested upon this basis. Unless, therefore, it were possible to devise a scheme, by which, while those individuals to whose care and direction the affairs of the nation are consigned, were resolutely pursuing their own interest, they could be made to promote that of the public, it is in vain to hope for effects

of this kind. But such a scheme is yet a desideratum in political science, and until it is otherwise, it behoves us not only to inform people of their duty considered abstractly; but what is infinitely more necessary, the duty of moral agents, placed *in their circumstances.* It is an axiom in morals, that the line of conduct which one man ought to pursue, would be quite unlawful for his neighbour, because their situations are extremely different. For example, do I know assuredly that the produce of my labour would enable me to maintain a family, decently, comfortably, and respectably? If so, then ought I to marry. But if on the other hand, I am fully convinced that the opposite of this is the case, it cannot possibly escape me, that the consequences resulting from such a conduct, must ultimately prove in the highest conceivable degree tragical. By entering into an alliance of this kind, I may give existence to human beings, whom it is morally impossible for me to supply with food, and still less so with education, and whose future lives must of course end in misery. Marriage *in itself* is an highly beneficial institution, and may be productive of an immense sum of pleasureable sensation; but, when it is not subject to proper restrictions, it becomes the veriest plague that ever cursed the human race. How frequently has the marriages of paupers entailed guilt, and its necessary concomitant misery, upon millions of innocent victims. Their children are immured to all those hardships, incident to cheerless poverty, from their earliest years, deprived of the means of useful knowledge, and doomed to earn a scanty subsistence within the walls of a manufactory, very probably, at the expense of every sentiment and feeling, which could secure them the respect of the wise and good. The consequence is, the girls for the most part become common prostitutes, the boys acquire habits of vice, which can never afterwards be eradicated, and both are counted the banes of civil society. Notwithstanding, however, of the authenticity of these facts, there are not wanting those who maintain, "that marriage is honourable *in all*," and who are perpetually exhorting the young and thoughtless of either sex, to form connections, which must inevitably embitter all their future days. The motives of such persons are confessedly virtuous; but they proceed, as it seems to me, upon an erroneous principle. Because the marriage contract is sanctioned by the command of the Deity, they suppose that it must on this account be the duty, as well as the interest, of each individual, capable of procreation, to enter into it. They inform us, moreover, that its natural and necessary tendency, is to check the progress of vice; and this is partly true. But they forget to consider, that if the number of marriages among the lower orders of society, tend *in effect*, although it may be not in reality, to increase the population above the level of the means of subsistence, vice and misery, in their most hideous and destructive forms, must of consequence be introduced. There is nothing which I more anxiously wish to see, than an healthy and happy population; but, I shall in vain look for it, while the duty of moral restraint is so partially understood, and so little practised. Then only, as it should seem, may we hope that the people of England will cordially unite together, in asserting their just, their inalienable rights, immunities, and privileges, when they shall begin to contemn and anathematise that inhumanity, which seems to delight in nothing so much, as peopling the workhouse. When parents shall feel solicitous, that their children should, if they are unable to leave them a decent competence, at least have the means of providing for themselves, independent of the dear bought assistance of the great, then may they bid eternal defiance to the whole host of placemen, pensioners, blood-suckers and earth-worms. An Englishman never acts in character, but when he can proudly say to the world, "I shall not die in your debt: my children, thank heaven, are amply provided for, out of the produce of my industry: they do not want your pity, and they scorn to purchase your assistance." This is alone the language of an independent mind; a mind, that will not stoop to receive a favour, at the expense of its honour.——It does appear to me, that the frequency of marriage among the English peasantry, is the real cause of more than one half of that misery under which they now groan. We all know very well, that self-love is the motive, which prompts by far the majority of them, to enter into that contract; a desire for promoting the welfare of the community, is seldom found to exist in their breasts. Your readers will readily remember, the opinions of the inhabitants of Lilliput on this subject. "Their notions," says Gulliver, "relating to the duties of parents and children, differ extremely from ours. For, since the conjunction of male and female is founded upon the great law of nature, in order to propagate and continue the species, the Lilliputians will needs have it, that men and women are joined together, like other animals, by the motives of concupiscence; and that their tenderness towards their young, proceeds

from the like natural principle: for which reason, they will never allow that a child is under any obligation to his father, for begetting him, or to his mother, for bringing him into the world; which, considering the miseries of human life, was neither a benefit in itself, nor intended so by his parents, whose thoughts, in their love encounters, were otherwise employed."——*Moral restraint* with regard to marriage, the only rational and safe check to population, is a doctrine, which is little understood, and still less relished, by the generality of mankind. But, until its salutary tendency is perceived, and it shall have in some degree regulated human desires, and passions, and appetites, we shall in vain expect any great amelioration of the condition of the poor. They may still continue to suffer every species of cruelty from their superiors, and linger out a wretched existence, while the varied and accumulated evils, incident to cheerless poverty, will as invariably continue to prey upon them. And, so long as the marriage contract is entered into, with a thoughtlessness and levity, unworthy of rational beings, these effects must result from it. Obviously enough, therefore, the solemn inculcation of the doctrine of moral restraint with regard to it, becomes the duty of every friend to the best interests of human kind. The design of our glorious constitution will continue to be frustrated, and a gloomy train of petty tyrants and stock-jobbers will exist, while self-love is the motive which regulates the actions of the majority of mankind; but, notwithstanding this, the peasantry of England still have it in their power to be happy. They may be independent, if they are not yet mean enough to choose slavery, and thus entail misery on posterity. This subject is assuredly deserving of serious and impartial consideration, as it evidently involves our welfare and happiness. If I have erred in the elucidation of it, or, if I have advanced any opinion, which is dissonant to the dictates of sober and enlightened reason, I shall be happy to be better informed. Meanwhile, I remain, with every sentiment of esteem and respect, yours, &c.—SIMPLICIUS.——*Aberdeen, Sunday, 1st. March,* 1807.

THE WIDOW'S VINE.

SIR,——The zeal with which you have, on many occasions, pointed out and stigmatized political profligacy and abuse in all its shapes, has very justly entitled you to the praise of an independent advocate and supporter of an enlightened and free press: and if in any case you have, by false intelligence, been betrayed into misrepresentation, you have with becoming candour been ready to acknowledge your error. This being, as I conceive, the character of your Political Register, you will not, I presume, incline to forfeit it in the instance which I now recall to your recollection. In the 4th number of the present volume, p. 127, is inserted a letter, under the *invidious* title "Oppression of Assessed Taxes," signed A. X. containing a charge as false as it is malicious, and tending to nothing less than to cast an unmerited odium on the characters of every Commissioner of the Property or Assessed Taxes, persons who act in these troublesome offices without fee or reward, under the authority of the law of the land, and the more solemn sanction of an oath. The whole letter is a scandalous libel of which it would well become the Board of Taxes to take cognizance. The facts of the case so grossly misrepresented in that letter are these: Mrs. L——, a widow, who carrys on the business of a saddler at Newmarket, in Suffolk, has a vine growing against her house, it is planted in the public foot-path, and the stem is guarded by a few boards to protect it from the tread of the passenger. This vine was of course pruned, from time to time, and probably by a gardener. Mrs. L. however, was never assessed for such a servant, till the Inspector, receiving information, that she did occasionally employ a gardener, he surcharged her, as his duty enjoined him, for a five shilling servant. On the day of appeal the case was investigated by the commissioners, who, not out of their gracious condescension, but because they thought themselves in justice bound so to do, released the widow from the surcharge, and this without putting her either to trouble or expense; for her attendance was dispensed with: and the tax for keeping a gardener was *not*, as is falsely stated, confirmed.——I make no further comment on this scurrilous scribbler, but, leaving him, if known, to your lash, and if unknown, to your contempt.——I remain, Sir, your constant reader,—A COMMISSIONER OF TAXES, *in the County of Suffolk, Feb.* 21, 1807.

PETITION OF THE HON. ANDREW COCHRANE JOHNSTONE, LATE COLONEL OF THE 8TH WEST-INDIA REGIMENT, AND GOVERNOR OF THE ISLAND OF DOMINICA; PRESENTED TO THE HOUSE OF COMMONS BY MR. WHITBREAD, ON TUESDAY, MARCH THE 10TH, 1807:

Humbly Sheweth,—That your petitioner, previous to the month of October, 1803, had served as an officer in the army, upwards of 20 years; that he had risen in regular grada-

tion, from the rank of ensign to that of colonel; that of his time of service, 13 years had been spent upon foreign stations, frequently under circumstances of great fatigue and danger; and, that, during the whole of the said service, he had never, upon any occasion, incurred the censure or displeasure of any one of his superiors, but had generally the satisfaction to meet with their marked approbation.—That brevet promotions in the army are made according to seniority of rank, and that for an officer to be passed over in such promotion is a deep disgrace to him. That, in the aforesaid month of Oct. 1803, a brevet promotion of major-generals took place, in which promotion the name of your petitioner was purposely omitted. That, sensible of the disgrace thus inflicted on him, and conscious that the infliction was unjust, he immediately applied to his Royal Highness the Duke of York, then and now commander-in-chief of his Majesty's forces, to know the cause of punishment so severe and unexpected. That it was upwards of two months before he received any answer at all to this application, and that he was then informed of the cause of his punishment, by a letter from the Duke of York, dated on the 10th of Dec. 1803, containing the following words:—"It is an invariable rule of the service, not "to include in any general brevet promo-"tion, an officer (whatever may be his "rank) against whom there EXIST CHARGES, "the merit of which has not been decided; "but, whenever an investigation shall have "taken place, and, should the result prove "favourable to you, there will not be any "difficulty in your recovering the rank, to "which your seniority, as colonel, entitles "you." That, it was with great surprise, that your petitioner thus, for the first time, learnt, that there were charges *existing* against him; and, it was not without some degree of indignation, that he perceived, that he had been punished upon the ground of mere charges preferred in the dark; that these charges had never been communicated to him, and, moreover, that, even of the *existence* of which charges he was not informed, until upwards of two months after he had been *punished*, and had complained of his punishment. That your petitioner, upon receiving the letter aforesaid from the Duke of York, lost no time in most earnestly soliciting his Royal Highness to afford him information as to the nature and purport of the charges *existing* against him; but, that, unto his repeated entreaties for this purpose, no answer whatever was he able to obtain, until the 28th day of the ensuing month of May, when, after having been thus kept in a state of suspense and disgrace for six months, he was informed, by order of the Duke of York, that he, the Duke of York, had now called upon Major Gordon (the accuser) to state WHETHER HE MEANT to bring forward any charges at all against your petitioner; so that, as your Honourable House will perceive, your petitioner was now informed, not of the nature of the charges against him, but that the Duke of York had not yet ascertained whether there were in EXISTENCE the grounds whereon to form any such charges, though, as it will be perceived by your Honourable House, your petitioner had actually been *punished*, upon the ground, as stated by the Duke of York himself, that CHARGES EXISTED against your petitioner in the preceding month of Oct. That your petitioner, conscious that no criminal charge could, with truth, be preferred against him, impatiently waited for the day of trial, which, however, to the great vexation and injury of your petitioner, was delayed until the month of March 1805, though, according to the Duke of York's letter of the 10th of Dec. 1803, the charges actually *existed* against your petitioner in the month of Oct. preceding,—a year and a half before it was thought proper to proceed upon them. That previous, however, to the assembling of the court martial, before whom your petitioner was sent, stigmatized with having now been passed over in two general brevet promotions, some circumstances occurred, to which your petitioner humbly presumes to solicit the particular attention of your Honourable House. That your petitioner having stated to Sir Charles Morgan, the then judge-advocate-general, his objection to Mr. Oldham as a person to officiate as judge-advocate at the approaching trial, and which objection was founded upon the partial conduct of Mr. Oldham upon a recent occasion, Sir C. Morgan informed your petitioner, that, in consequence of such objection, he had had an intention of appointing some other person to officiate at the court martial; but that he had recently received an application from the Duke of York, specially requesting that Mr. Oldham might officiate; and that this had determined him (Sir C. Morgan) to employ Mr. Oldham upon the occasion. That your petitioner, at no loss as to the motive of this interference, adhered the more resolutely to his aforesaid objection; but that, though he, finally, and with much difficulty, succeeded in this point, he, to his great mortification, found that, immediately afterwards, the seat of the court martial, which was,

by the order of the Duke of York, actually assembling at Canterbury, whither, towards the end of Feb. your petitioner and several of his witnesses had repaired, was, all of a sudden, removed to Chelsea, notwithstanding the remonstrance of your petitioner, who, in a letter to the judge-advocate-general, dated on the 21st of Feb. 1805, stated, that "great inconvenience and expense "would be occasioned by this change, as "well as the impossibility of transmitting "timely notice of it to the witnesses, par-"ticularly those resident in distant parts of "the kingdom." That, in spite of all the disadvantages, by these and other means created, your petitioner was honourably acquitted upon all the charges preferred against him, notwithstanding so much study and preparation had been used in the producing of those charges; that, not only was he so acquitted, but there was not brought out in evidence one single fact tending in the slightest degree to shew, that the accuser himself could possibly ever have believed any one of the charges to be true; and that it was glaringly evident, that the whole of the accusation consisted of falsehoods invented for the sole purpose of injuring the fame and the fortune of your petitioner, and of giving the colour of justice to the punishment which had already been inflicted upon him. That your petitioner, upon the result of the trial being made known unto him, did, on the 18th of April, 1805, endeavour to obtain an audience of H. R. H. the Duke of York, in order to obtain, in the list of major-generals, that place to which his seniority entitled him, and in the obtaining of which he had, by his Royal Highness, been informed, there would be "*no difficulty, provided the* "*result of the court martial was favourable* "*to him.*" That your petitioner, having been refused access to the Duke of York in the first instance, having been unable by other means to obtain any satisfactory answer to his repeated applications, tendered the resignation of his commission as colonel, resolved no longer to remain in a service, in which he was so unjustly held in a state of degradation. That, as to the grounds upon which the application of your petitioner was rejected, your Honourable House will have observed, that the decisions of all general courts martial are communicated to the King by the judge-advocate-general, who, when he has thereupon received the commands of the King, communicates them to the commander-in-chief, together with the King's remarks thereon. That, in pursuance of this practice, Sir C. Morgan, having first laid the decision of the court martial aforesaid before the King, next communicated it to the Duke of York, subjoining thereunto, as coming from the King himself, a remark, that, as to the principal charge, the court had been inhibited by law from proceeding upon it, owing to the crime alleged having taken place more than three years previous to the date of the warrant for the trial, and that "His Majesty considered this lapse of "time to have been owing to an improper "conduct of the prosecutor." That, as your Honourable House will not fail to perceive, this remark was calculated to cause it to be believed, that, if no lapse of time had so taken place, and if the court martial had not thereby been inhibited from proceeding on the said charge, the said charge might have been established against your petitioner; whereas, the facts were; 1st, that the act charged, was alleged to have taken place previous to Sept. 1801; 2d, that an investigation into the conduct of your petitioner was contemplated by the Duke of York in Oct. 1803, and upon that contemplation he withheld the name of your petitioner from the brevet promotion; 3d, that between Sept. 1801 and Oct. 1803, only two years and one month had elapsed; 4th, that between Oct. 1803 and Aug. 1804, when the warrant for the trial was, at last, issued, your petitioner did make urgent and repeated requests to the Duke of York, that the trial might take place without delay; and 5th, that your petitioner, apprehensive that a plea of lapse of time might be made use of, for the purpose of leaving a blemish upon his reputation, expressly requested, in a letter to the adjutant general, dated on the 22d of June, 1804, that "no part of the grounds, "on which Major Gordon had proposed to "found his charges, should be kept back "from examination;" from which facts your petitioner is satisfied, that it will clearly appear to your Honourable House, that if the court martial was inhibited from taking cognizance of the charge aforesaid, the inhibition was to be ascribed solely to those concerned in framing and bringing forward the prosecution. That however to the most important fact, connected with the aforesaid remark of the King, it remains for your petitioner to pray the attention of your Honourable House; namely, that notwithstanding the lapse of time, the oourt martial actually did, before they perceived such lapse, fully investigate the merits of the said charge; that the charge was, by evidence the most complete, clearly proved, to be utterly false, and destitute of the semblance of foundation; and that it was not until *after such proof had been given*, that the court martial discovered

that they were, by law, inhibited from taking cognizance of it. That it was, nevertheless, upon the ground of the remark made by the Judge Advocate General, in the King's name, that the Duke of York, in a letter to your petitioner, dated on the 16th of May, 1805, refused to place your petitioner in that situation, as to rank, to which he was, by his seniority, entitled. That your petitioner, full of indignation at the injustice with which he had been treated, addressed a remonstrance to the Judge Advocate General, complaining of the aspersion cast upon his character by the putting of the remark aforesaid upon the records of the army, while, at the same time, the facts above stated by your petitioner were carefully concealed. That in answer to this remonstrance, the Judge Advocate General informed your petitioner, in a letter dated on the 26th of April, 1805, that "*since he had communicated to the Duke of York the letter in which the aforesaid remark was contained, he had seen occasion to recall that letter, and to substitute another in lieu thereof, leaving out the said remark, and that he had taken upon himself to explain to the King, the reason why this remark*" (made, as your Honourable House will perceive, in the King's name, and as coming from the King himself) "*was now omitted.*" That, thus, as it must be manifest to your Honourable House, the Judge Advocate General has the power to communicate to the commander-in-chief remarks, in the King's name, upon the decision of every general court martial, from which remarks alone the commander-in-chief must, according to his letter above mentioned addressed to your petitioner, "*form his opinion upon the whole matter of each case*;" that the Judge Advocate General has the further power of altering such remarks at his pleasure, not only without the orders, but even without the knowledge of the King, in whose name they are made; that this Judge Advocate General not only holds his office during pleasure, but is, at the same time, so much under the influence of the commander-in-chief, as to be induced, at his bare suggestion, to change his intention as to the person whom he shall employ to officiate in his stead at a court martial; and that, thus, the fame and fortune of all the officers of the army, (an establishment, the annual expense of which is now more than 18 millions sterling) amounting, in number, to several thousands of gentlemen, connected by ties of blood, or otherwise, with no small portion of the rank and consequence and influence, in the whole of the community, are subject to the absolute will of *one irresponsible individual*. That, from this cause your petitioner has suffered most grievous injustice, indignity, and injury; that, after a life of faithful, zealous, and arduous services, he has been driven, as above shewn, to the alternative of abandoning his profession and his means of subsistence, or of retaining them accompanied with unmerited disgrace; and, that he, therefore, prays your Honourable House, the constitutional protectors of the people's liberties and properties against arbitrary power and oppression, to afford him redress, and to prevent, by such means as in the wisdom of your Honourable House it shall seem meet, the future recurrence of similar grievances. —And your petitioner shall ever pray.—— ANDREW COCHRANE JOHNSTONE.—*London, March* 2, 1807.

FOREIGN OFFICIAL PAPERS.

CONTINENTAL WAR.—*Twenty-eighth Bulletin of the Grand French Army.*

Berlin, Nov. 7, 1806.—His Majesty this day was occupied in reviewing the dragoons of the division of General Klein, from 11 till 3 in the afternoon, on the esplanade of the palace. This division greatly distinguished itself at the battle of Jena, and broke several squares of the Prussian infantry.—General Savary, at the head of 500 of the first regiment of hussars, and of the 7th chasseurs, has defeated the Prussian General Husdunne, whom he made a prisoner, together with 2 brigades of hussars, 2 battalions of grenadiers, and several pieces of cannon, near Wismar, on the Baltic. This division made part of those corps which were pursued by the Grand Duke of Berg, the Prince De Ponte-Corvo, and Marshal Soult; and being cut off from the Oder and from Pomerania, appeared to have been driven from the coast near Lubeck.—Colonel Excelmans commandant of the 1st regiment of chasseurs in the division of Marshal Davoust, has arrived at Posen, the capital of Poland Proper. He was received there with the most enthusiastic joy; the town was thronged with people, and the windows crowded with spectators; the cavalry could scarcely proceed along the streets. The General of Engineers, Bertrand, Aide de-camp to the Emperor, has embarked on the lake near Stettin, in order to examine the different passes communicating therewith.—The battering-train, &c. for the siege of Magdeburg, was sent from Dresden and Wittenberg, by the Elbe. It is hoped this place will not hold out long. Marshal Ney is appointed to direct the operations of the siege.

Twenty-ninth Bulletin of the Grand French Army.

Berlin, Nov. 9, 1806.—His Majesty has ordered a contribution of 150 millions, to be levied in the dominions of Prussia, and those of her allies!—After the capitulation of the Prince of Hohenlohe, Gen. Blucher, who was marching the same route, changed the direction of his progress, and endeavoured to join the column of the Duke of Weimar, which had previously joined that of Prince Frederick of Brunswick Oels, son of the Duke of Brunswick. The 3 corps were then commanded by Blucher; some small corps afterwards joined them. For many days the division endeavoured to escape by these routes, which were as yet left open by the French troops; but the combined movements of the Grand Duke of Berg, Marshal Soult, and the Prince of Ponte Corvo, effectually frustrated the design. At one time the enemy attempted to throw themselves into Anklam, and afterwards into Rostock. Checked in these endeavours they tried to return towards the Elbe; but in this they were also prevented. They then advanced directly towards Lubeck.——On the 4th of Nov. they took a position at Crevismulen: the Prince de Ponte-Corvo cut off the rear guard, but could not make much impression upon the main body, as he had no more than 600 cavalry, while the enemy were very strong in that respect. Gen. Vattier, in this action, made 3 fine charges, supported by Generals Pactod and Maisons, with the 27th reg. of light infantry, and the 8th of the line. It is worthy of remark, in this action, that a company of éclaireurs, attached to the 94th reg. commanded by Capt. Razout, was surrounded by some of the enemy's squadrons, but the French light troops were not dismayed by the shock of the Prussian cuirassiers, they received it firmly, and kept up such a cool and well-directed fire upon the assailants, that they soon retreated. This description of the French forces acted most successfully against the Prussian cavalry throughout the whole pursuit. The Prussians lost 7 pieces of cannon, and about 1000 men.—But, on the evening of the 4th, the Grand Duke of Berg, who was advancing on the right, arrived with his cavalry against the enemy, whose ultimate object seemed, as yet, uncertain. Marshal Soult advanced by Ratzburg, and the Prince de Ponte-Corvo by Rena. They lay, from the night of the 5th to that of the 6th, at Schoenberg, whence the Marshal retired at 2 in the morning. The Prince advanced to Schlukup upon the Trave, and came up with a corps of 1,600 Swedes, who, at length, thought proper to retire from Lauenburg, in order to embark upon the Trave. A few discharges from our cannon, however, disabled the vessels intended for their embarkation. The Swedes, after a shew of resistance, laid down their arms. A convoy of 300 vessels, which Gen. Savary had traced to Wismar, was attacked in the river by the column under the Prince de Ponte-Corvo, and captured.—In the mean time the enemy fortified themselves in Lubeck. Marshal Soult advanced with such rapidity, that he arrived at the gate of Mullen as soon as the Prince was before that of the Trave. The Grand Duke of Berg, with his cavalry, was between these posts. The enemy endeavoured, hastily, to strengthen the old walls of Lubeck, and placed some guns on the bastions, hoping, by these means, to gain at least a day upon us, but he was mistaken, as the reconnoitring and the attack were almost at the same moment.—Gen. Drouet, at the head of the 27th light infantry, and the 94th and 95th of the line, carried the batteries with that coolness and intrepidity which peculiarly distinguishes the French troops! The gates were speedily forced, the bastions escaladed, the enemy put to flight, and the corps of the Prince of Ponte-Corvo entered by the gate of the Trave. The chasseurs, Corses, the tirailleurs of the Po, and the 26th light infantry, composed the advanced guard of Gen. Legrand, which had not, as yet, been engaged, and who were impatient to attack the enemy, advanced with the rapidity of lightning! Redoubts, bastions, ditches, all were cleared, and the corps of Marshal Soult entered the town at the gate of Mullen. In vain did the enemy attempt to defend the place, in the streets, the squares, &c. they were driven back every where, and those places were covered with the dead! The two divisions of the French troops, which had entered at different gates, joined about the middle of the town. Scarcely had the Grand Duke entered the place than the enemy were put to flight. He pursued them—4000 prisoners, 60 pieces of cannon, several generals, a great number of officers killed or taken. Such were the results of this brilliant victory.—Before day-break on the 7th, the cavalry were mounted, and the Grand Duke of Berg surrounded the enemy near Schwartan, with the brigade of Lasalle, and the division of cuirassers of Hautpoult.

To be continued.

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